

IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claims 1-10 in accordance with the following:

1. (CURRENTLY AMENDED) A fuel cell electricity generator, comprising:
a solid oxide type fuel cell element comprising a solid electrolyte layer having respective faces, a cathode layer formed on one of faces of the solid electrolyte layer and an anode layer formed on the other face of the solid electrolyte layer;

means for supplying a flame; and

means for supplying gas containing oxygen, wherein:

said element generates electricity when said solid oxide type fuel cell element is arranged in a ~~the~~ flame or in a ~~portion-position~~ close to the flame, so that the anode layer is disposed on the flame side and the cathode layer is exposed to the gas containing oxygen;

the solid electrolyte layer being made of porous material, the porosity of which is not less than 10%, so that cracks ~~cannot be~~ are not caused ~~on-in~~ in the solid electrolyte layer by a sudden temperature change in the solid oxide type fuel cell when the solid oxide type fuel cell is arranged ~~disposed~~ in the flame or in the ~~portion-position~~ close to the flame or when the solid oxide type fuel cell is separated from the flame or the ~~portion-position~~ close to the flame; and

a mesh-shaped metal or a wire-shaped metal being embedded in or fixed to at least one of the anode layer and the cathode layer so as to reinforce the corresponding anode layer or the cathode layer.

2. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the solid oxide type fuel cell element is ~~formed flat~~.

3. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the anode layer is arranged on the flame side.

4. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the cathode layer is arranged so that it can be exposed to gas containing oxygen.

5. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 4~~1~~, wherein gas containing oxygen is blown ~~to~~onto the cathode layer.

6. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the flame is generated when an organic substance is used as fuel.

7. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the flame is a premixed flame.

8. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 1, wherein the anode layer is composed of a sintered body, the primary component of which is a conductive oxide.

9. (CURRENTLY AMENDED) A fuel cell electricity generator according to claim 8, wherein the conductive oxide is nickel oxide in which lithium is solidly dissolved.

10. (CURRENTLY AMENDED) A fuel cell electricity generator, comprising:
a solid oxide type fuel cell element comprising a solid electrolyte layer having opposing faces, a cathode layer formed on one of faces of the solid electrolyte layer and an anode layer formed on the other face of the solid electrolyte layer;
means for supplying a flame; and
means for supplying gas containing oxygen, wherein:
said element generates electricity when said solid oxide type fuel cell element is ~~arranged~~
disposed in a-the flame or in a portion-position close to the flame, so that the anode layer
is disposed on the flame side and the cathode layer is exposed to the gas containing
oxygen, and

the solid electrolyte layer ~~being~~is made of porous material, the porosity of which is not less than 10%, so that cracks cannot be caused on the solid electrolyte layer by a sudden temperature change in the solid oxide type fuel cell when the solid oxide type fuel cell is arranged in the flame or in the portion close to the flame or when the solid oxide type fuel cell is

Docket No.: 300.1135

Serial No. 10/687,599

separated from the flame or the portion close to the flame.